

REMARKS

The preceding amendments and following remarks form a full and complete response to the Office Action dated June 15, 2009. Applicant has cancelled claim 25 without prejudice or disclaimer and added new claims 47-50. Support for the new claims can be found, *inter alia*, in claims 13-15 as filed. Claims 26-46 were previously withdrawn from consideration. Accordingly, claims 1-24 and 26-50 remain pending in the present application and are submitted for reconsideration.

Applicants would like to point out that the Office Action Summary, however, indicates that claims 1-25 were withdrawn from consideration. Applicants submit that this is a mistake – indeed, page 2 of the Office Action correctly indicates that claims 1-25 have been elected.

Claim Rejections Under 35 U.S.C. § 112

The Office rejected claim 25 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter the applicant regards as the invention. This rejection, however, is moot in light of the fact that Applicants have cancelled claim 25.

Claim Rejections Under 35 U.S.C. § 102

The Office rejected claims 1-4, 7-12, 16-18, and 21-24 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,704,060 to Levandowski. Applicants traverse the rejection on the basis that claims 1-4, 7-12, 16-18, and 21-24 recite subject matter not disclosed by Levandowski.

For instance, Levandowski fails to disclose a media device “arranged to apply a common setting to the media signals output on the first and second media outputs,” as required by claim 1. Indeed, Levandowski is entirely contrary to this functionality. In particular, the entire purpose of Levandowski is to provide independent control to users at first and second viewing locations. *See, e.g.*, Levandowski at the Abstract. To that end, Levandowski discloses “integrated receivers/decoders that are configured to provide two independent signals for display on two television receivers.” Levandowski at col. 1, lines 14- 15 (emphasis added); *see also* Levandowski at col. 3, line 64 to col. 4, line 8. Hence, Levandowski not only fails to disclose the

common setting of the media signals required by claim 1, but it, in fact, discloses something entirely contrary to the common setting functionality called for by claim 1. For this reason alone, the rejection of claim 1 is improper and should be withdrawn.

Claim 1, is patentable over Levandowski for the separate and independent reason that Levandowski fails to disclose a “setting” at all, within the meaning of claim 1. Levandowski discloses outputting high definition (HD)/standard definition (SD) signals on a first output, and outputting SD signals on a second output (*see col. 3 lines 38 to 54*). These clearly do not represent “settings” which have been “applied” to the signals. Instead, these simply reflect the nature of the signals as received by the receiver. That is, a high definition television signal is received and output as such, whereas a standard definition signal is received and output as such. Plainly, the described receiver itself does nothing to somehow convert a received signal into an HD or SD signal. Rather, the signal is an HD or SD signal from the beginning. Thus, for this separate and independent reason, the rejection of claim 1 is improper and should be withdrawn.

Claim 1 is also patentable over Levandowski for the separate and independent reason that claim 1 specifically calls for a first or second setting to be adopted as the common setting “according to whether control signals are received respectively on said first or said second input.” That is, the common setting is chosen dependent upon which control input is used.

This concept of adopting a setting based upon which control input is used is completely absent from Levandowski. As noted above, the entire purpose of Levandowski is to provide independent control, which is entirely contrary to the common setting functionality of the present invention. However, even ignoring this key distinction, it is plain that Levandowski does not teach adopting a setting simply because a particular control input is used. Thus, for this separate and independent reason, the rejection of claim 1 is improper and should be withdrawn.

Thus, Levandowski fails to disclose each and every feature of claim 1. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 1. Claims 2-4 and 7-12 are patentable over Levandowski for at least the same reasons stated above with respect to claim 1, from which they depend either directly or indirectly, as well as for the additional features they recite. Applicants, therefore, also respectfully request the withdrawal of the rejection of claims 2-4 and 7-12.

Similarly to claim 1, claim 16 recites a method of setting a media output format for a media device where the device is arranged to apply a common setting to the media signals output on the first and second media outputs. As noted above with respect to claim 1, Levandowski fails to disclose this feature. For this reason alone, the rejection of claim 16 is improper and should be withdrawn.

Claim 16, however, is also patentable over Levandowski for the separate and independent reason that Levandowski fails to disclose a method comprising detecting whether control signals are received on a first or second inputs and adopting a predetermined first or second setting as said common setting in response to the detecting step, as required by claim 16. As noted above with respect to claim 1, Levandowski's teachings run entirely contrary to the concept of providing common setting functionality. Accordingly, for this separate and independent reason, the rejection of claim 16 is improper and should be withdrawn.

Claim 16 is also patentable over Levandowski for the separate and independent reason that, as noted above with respect to claim 1, Levandowski fails to disclose a "setting" within the meaning of claim 16. Accordingly, the rejection of claim 16 is improper and should be withdrawn for this separate and independent reason.

Thus, Levandowski fails to disclose each and every feature of claim 16. Applicants, therefore, respectfully request the withdrawal of the rejection of claim 16. Claims 17-18 and 21-24 are patentable for at least the same reasons stated above with respect to claim 16, from which they either directly or indirectly depend, as well as for the additional features they recite. Applicants, therefore, also respectfully request the withdrawal of the rejection of claims 17-18 and 21-24.

Claim Rejections Under 35 U.S.C. § 103

Claims 5 and 6

Claims 5-6, 13-15, and 19-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Levandowski in view of U.S. Patent No. 6,104,865 to Hamaguchi et al. ("Hamaguchi"). Applicants traverse the rejection on the basis that claims 5-6, 13-15, and 19-20 recite subject matter neither disclosed nor suggested by the combination of Levandowski and Hamaguchi.

For instance, claims 5 and 6 are patentable over Levandowski for at least the same reasons stated above with respect to claim 1, from which they depend. Hamaguchi, which the Office Action cites for its purported disclosure of “a picture format and applying selectively a first or a second picture format to said video signal” (see Office Action at 8), fails to remedy the above-identified deficiencies of Levandowski with respect to claim 1 (and, therefore with respect to claims 5 and 6). Applicants, therefore, respectfully request the withdrawal of the rejection of claims 5 and 6.

Claims 13-15

Claim 13 is patentable over Levandowski for similar reasons as for claims 1 and 16 described above. In particular, claim 13 recites a receiver “arranged to output on primary and secondary outputs a video signal having a picture format common to said primary and secondary video outputs and to apply selectively a first or a second said picture format to said video signal, dependent on said detection”. As will be appreciated, the three points of argument raised in respect of Levandowski above in connection with claims 1 and 16 thus apply equally to claims 13.

Claim 13 is patentable over Levandowski for the separate and independent reason that Levandowski fails to disclose or suggest “having an infrared receiver for receiving control signals from a remote control, and an auxiliary control input for receiving control signals from the remote control via a remote control extender.” That is, the same remote control may be used to control the receiver either via the infrared receiver or via the remote control extender. This is contrary to the arrangement of Levandowski wherein an infrared remote control (116) is used to control the display at the first viewing location (101), and an RF remote control (122) is used to control the display at the second viewing location (102). Levandowski does not disclose using the infrared remote control (116) to control the display at the second viewing location (102) via a remote control extender, contrary to claim 13. Thus, Levandowski fails to disclose or suggest several important features of claim 13.

Hamaguchi, as stated above, fails to remedy these deficiencies of Levandowski. Accordingly, the combination of Hamaguchi and Levandowski fails to disclose each and every feature of claim 13. Applicants, therefore, respectfully request the withdrawal of the rejection of

claim 13. Claims 14-15 are patentable over the combination of Levandowski and Hamaguchi for at least the same reasons stated above with respect to claim 13, from which they depend, as well as for the additional features they recite. Applicants, therefore, respectfully request the withdrawal of the rejection of claims 14 and 15.

Claims 19 and 20

Claims 19 and 20 are patentable over Levandowski for at least the same reasons stated above with respect to claim 16, from which they depend. Hamaguchi, which the Office Action cites for its purported disclosure of “a picture format and applying selectively a first or a second picture format to said video signal” (*see* Office Action at 8-9), fails to remedy the above-identified deficiencies of Levandowski with respect to claim 16 (and, therefore with respect to claims 19 and 20). Applicants, therefore, respectfully request the withdrawal of the rejection of claims 19 and 20.

New Claims

New claims 47-50 mirror the features of claims 13-15 in method terms and, therefore, require no additional search or consideration beyond that already done with regard to claims 13-15. New claims 47-50 are patentable because none of the cited art discloses or suggests each and every feature of claims 47-50. For instance, none of the cited references disclose or suggest a method of applying a picture format to a video signal for a television broadcast receiver that includes the steps of (1) detecting whether a control signal is received by the infrared receiver or at the auxiliary control input; and (2) applying selectively a first or a second said picture format to said video signal, dependent on said detection, as required by claim 47. Accordingly, claim 47 is patentable and should be allowed. Claims 48 and 49 depend from claim 47 and are patentable for at least the same reasons as claim 47. Applicants, therefore, respectfully request the allowance of claims 47-50.

CONCLUSION

As each of the rejections and objections has been addressed, Applicants submit that claims 1-24 and 47-50 are patentable for at least the reasons set forth above. Applicants therefore request that the Office allow claims 1-24 and 47-50 and pass the application to issue.

Any fees for such an extension, including the fees set forth under 37 C.F.R. § 1.17(a)(3), together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

Date: September 15, 2009

By: /John H. Curry/
John H. Curry
Attorney for Applicants
Registration No. 65,067
ROTHWELL, FIGG, ERNST &
MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202)783-6040